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7 Attorneys for Plaintiff
BAY AREA PAINTERS AND TAPERS
8 PENSION FUND, et al.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

**11 BAY AREA PAINTERS AND TAPERS
PENSION FUND, et al..**

Case No.: C08-0368 CRB

12 | Plaintiffs.

**REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE**

14 | V.

15 CAPITOL CITY DEVELOPMENT, INC., a
16 California Corporation, and STEVE
PALIQUUDAKIS, Individually

CMC: April 25, 2008
Time: 8:30 a.m.
Courtroom: 8, 19th Floor
Location: 450 Golden Gate Avenue
San Francisco, CA

17 Defendants

Judge: Honorable Charles R. Breyer

19 Plaintiffs hereby request that the Case Management Conference currently scheduled for
20 Friday April 25, 2008, at 8:30 a.m. be continued for at least sixty (60) days.
21

1 The Clerk entered the default of Defendants on March 4, 2008

23 2. To date, Defendants have failed to pay attorneys' fees and costs incurred by
24 Plaintiffs in connection with this action as required by the Collective Bargaining Agreement and
25 the Trust Agreements incorporated therein. Defendants have also failed to submit reports for
26 hours worked by its employees in February 2008. Plaintiffs are attempting to informally resolve

1 these issues with Defendants. In the event that this matter is not informally resolved, Plaintiffs
2 intend to file a Motion for Default Judgment.

3. In an effort to minimize the attorneys' fees and costs for all parties, Plaintiffs
4 respectfully request that the Court continue the Case Management Conference for a period of at
5 least sixty (60) days in order to allow the parties ample opportunity to resolve this matter
6 informally and for Plaintiffs to file a Motion for Default Judgment, if necessary.
7

8 I declare under penalty of perjury that I am one of the attorneys for the Plaintiffs in the
9 above entitled action, and that the foregoing is true of my own knowledge.

10 Executed this 15th day of April 2008, at San Francisco, California.
11

12 SALTZMAN & JOHNSON LAW CORPORATION
13

14 By: _____/s/ _____
15 Shaamini A. Babu
16 Attorneys for Plaintiffs
17

18 IT IS SO ORDERED.
19

20 Date: _____
21

22 CHARLES R. BREYER
23 UNITED STATES DISTRICT COURT JUDGE
24
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28

1 **PROOF OF SERVICE**

2 I, the undersigned, declare:

3 I am a citizen of the United States and am employed in the County of San Francisco, State
4 of California. I am over the age of eighteen and not a party to this action. My business address is
5 120 Howard Street, Suite 520, San Francisco, California 94105.

6 On April 15, 2008, I served the following document(s):

7 **REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE**

8 on the interested parties in said action by placing a true and exact copy of each document in a
9 sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San
10 Francisco, California, addressed as follows:

11 **Capitol City Development, Inc.
c/o Steve Palloudakis
5920 24th Street
Rio Linda, CA 95673**

12 **Steve Palloudakis
5920 24th Street
Rio Linda, CA 95673**

13 I declare under penalty of perjury that the foregoing is true and correct and that this
14 declaration was executed on this 15th day of February, 2008, at San Francisco, California.

15
16
17
18
19 _____/s/
20 Vanessa de Fábrega
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